held that he had a right to attend service, and that the assault was without justification (*Taylor* v. *Timson*, 20 Q. B. D. 671).

This right, Stephen, J., traces to the statutes of 5 and 6 Edw. VI., which enacted that "all and every person and persons inhabiting within this realm . . . shall diligently and faithfully . . . endeavor themselves to resort to their parish church." Repealed under Mary, reënacted under Elizabeth, and modified in various ways by the Toleration Act and by Victorian legislation, these statutes are still a part of the English law to this extent, that "any person, be he whom he may, who is not a dissenter from the Church of England, is liable to ecclesiastical censure if he does not go to church;" and this would really operate as a fine, for the person censured would have to pay the costs.

It was suggested that there were over eleven hundred people in the district chapelry, exclusive of the boys in the reformatory, and that the church would accommodate only about three hundred. To this argument drawn from overcrowding, the learned justice rather slyly remarks: "The Church of England has got on very well for a long time without deciding that question, and will probably get on very well in the future."

One of the early cases cited showed that formerly a private seat in a church was regarded as a nuisance, and that, when no prescriptive right existed, any one might carry the seat away; for "it is not reasonable that one should have his seat and that two shall stand, for no place belongs more to one than another."

MINISTER PHELPS, in an address delivered before the Glasgow Juridical Society, Nov. 15, 1888, is reported to have made the following remarks on lawyers as speech-makers:[1] —

"Time was when the lawyers were esteemed to be preëminently the speech-makers. But they have been in latter days so far surpassed in that accomplishment by other classes in society, that they are no longer entitled to this questionable distinction. Lawyers are not much addicted to gratuitous oratory. They are seldom heard from until they are retained; nor then, unless there is an issue formed which it is necessary to discuss. Their arguments must be confined to the matter in hand, and must cease when the discussion is exhausted or the question determined. They do not enjoy the latitude allowed to the lawyer described by the Roman satirist, whose client was heard complaining 'that his lawsuit concerned three little kids, while his advocate, in large disdain of these, was thundering in the Forum over the perjuries of Hannibal and the slaughter of Cannæ.' The limits of forensic discourse are grave impediments to the cultivation of eloquence, which, in its modern state, needs to be unembarrassed by facts, unrestrained by occasion, and unlimited by time. So the bar has fallen into what might be called, in comparison with discussions elsewhere, a measurable silence."

MISPRINTS.—The following errors occurred in our November number: The omission of the word "that" between the words "policy" and "cannot," line 10, p. 184; the use of word "cannot" instead of "can" in line 6 of the case on Common Carriers, p. 187; and the citing of the case on Imputed Negligence of *Bisaillon* v. *Blood*, p. 190, as in 13 Atl. Rep., instead of 15 Atl. Rep.

[1] 38 Alb. L. J. 466.